



**BILLING CODE 4000-01-P**

**DEPARTMENT OF EDUCATION**

**[Docket No. ED-2022-SCC-0125]**

**Agency Information Collection Activities; Comment Request; Annual State Application Under Part B of the Individuals with Disabilities Act as Amended in 2004**

**AGENCY:** Office of Special Education and Rehabilitative Services (OSERS),  
Department of Education (ED).

**ACTION:** Notice.

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**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension without change of a currently approved collection.

**DATES:** Interested persons are invited to submit comments on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED-2022-SCC-0125. Comments submitted in response to this notice

should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the regulations.gov site is not available to the public for any reason, ED will temporarily accept comments at [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov). Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. *Please note that comments submitted by fax or e-mail and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the PRA Coordinator of the Strategic Collections and Clearance Governance and Strategy Division, U.S. Department of Education, 400 Maryland Ave, SW, LBJ, Room 6W208C, Washington, D.C. 20202-8240.

**FOR FURTHER INFORMATION CONTACT:** For specific questions related to collection activities, please contact Jennifer Simpson, (202) 245-6042.

**SUPPLEMENTARY INFORMATION:** The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely

manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

*Title of Collection:* Annual State Application Under Part B of the Individuals with Disabilities Act as Amended in 2004

*OMB Control Number:* 1820-0030

*Type of Review:* Extension without change of a currently approved collection

*Respondents / Affected Public:* State, Local, and Tribal Governments

*Total Estimated Number of Annual Responses:* 60

*Total Estimated Number of Annual Burden Hours:* 2,340

*Abstract:* The Individuals with Disabilities Education Act, signed on December 3, 2004, became PL 108-446. In accordance with 20 U.S.C. 1412(a) a State is eligible for assistance under Part B for a fiscal year if the State submits a plan that provides assurances to the Secretary that the State has in effect policies and procedures to ensure that the State meets each of the conditions found in 20 U.S.C. 1412. Information Collection 1820-0030 is being extended so that a State can provide assurances that it either has or does not have in effect policies and procedures to meet the eligibility

requirements of Part B of the Act as found in PL 108-446. Information Collection 1820-0030 corresponds with 34 CFR §§ 300.100-176; 300.199; 300.640-645; 300.646-647 and 300.705. These sections include the requirement that the Secretary and local educational agencies located in the State be notified of any State-imposed rule, regulation, or policy that is not required by this title and Federal regulations.

In addition, Information Collection 1820-0300 is being updated to make a nonsubstantive change to the application template to address a statement that is referenced in two places in the application document. The statement appears under Section II.C. (Certifications), item number two and is also referenced under Section II.D (Statement). This statement pertains to a provision, under the Education Department General Administrative Regulations (EDGAR) at 34 CFR §76.104, relating to State eligibility, authority and approval to submit and carry out the provisions of its State application, and consistency of that application with State law are in place within the State. The purpose of the nonsubstantive change is to remove the statement from under Section II.C. (Certifications) in order to eliminate the duplication of the statement within the application template.

**Dated:** October 6, 2022.

**Juliana Pearson,**

*PRA Coordinator,*

*Strategic Collections and Clearance,*

*Governance and Strategy Division,*

*Office of Chief Data Officer,*

*Office of Planning, Evaluation and Policy Development.*

